

A Meeting of the Town Board of the Town of Orchard Park, Erie County, New York, was held at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park, New York on the 18th day of May 2005 at 7:00 P.M., (local time). The meeting was called to order by the Supervisor and there were:

PRESENT AT ROLL CALL:	Toni M. Cudney	Supervisor
	Nancy W. Ackerman	Councilwoman
	Stanley A. Jemiolo	Councilman
	David R. Kaczor	Councilman
	John J. Mills	Councilman
	Janis A. Colarusso	Town Clerk
	Leonard Berkowitz	Town Attorney
	Andrew Geist	Building Inspector
	Samuel McCune	Chief of Police
	Ronald A. Geitter	Highway Superintendent
	Wayne Bieler	Town Engineer

The Supervisor read into the record the following: "If anyone appearing before the Town Board has a family, financial or business relationship with any member of the Board, it is incumbent upon that person to make it known under State Law and the Town Code of Ethics."

PUBLIC HEARING

At 7:00 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against an Amendment to the Zoning Ordinance of the Town of Orchard Park to rezone 12.4 +/- acre parcel located West of Deacon Road, North of Webster Road from R-2 to R-3 for a proposed 25 unit townhouse development, as petitioned by Steve Hollins.

ALL THAT TRACT OR PARCEL OF LAND SITUATED IN THE Town of Orchard Park, County of Erie and State of New York, being part of Lot(s) 20 & 21, Township 10 Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the southerly line of Lot 21 (centerline of Webster Road, 49.5' wide), a distance of 175 feet easterly from its intersection with the southwesterly corner of Lot 21; Thence northerly along a line parallel with the westerly line of Lot 21 a distance of 197.00 feet; Thence westerly along a line parallel with the southerly line of Lot 21 a distance of 175.00 feet to a point in the westerly line of Lot 21; Thence northerly along the westerly line of Lot 21 and the westerly line of Lot 20 a distance of 1366.54 feet to the intersection of the westerly line of Lot 20 with the northerly line of lands formerly conveyed to Katherine Schorr as recorded in the Erie County Clerk's Office in Liber 930 of deeds at page 432; Thence easterly along the northerly line of said lands conveyed to Schorr and parallel with the southerly line of Lot 21 a distance of 400.30 feet to a point in the easterly line of said lands conveyed to Schorr; Thence southerly along the easterly line of said lands conveyed to Schorr and parallel with the easterly line of Lot(s) 20 & 21 a distance of 760.32 feet; Thence westerly along a line parallel with the southerly line of Lot 21 a distance of 50.30 feet; Thence southerly along a line parallel with and 350 feet easterly from the westerly line of Lot 21 a distance of 554.22 feet; Thence westerly along a line parallel with the southerly line of Lot 21 a distance of 75.00 feet; Thence southerly along a line parallel with the westerly line of Lot 21 a distance of 249.00 feet to a point in the southerly line of Lot 21; Thence westerly along the southerly line of Lot 21 a distance of 100.00 feet to the point of beginning, containing 12.22 acres more or less (including those lands within the highway boundary).

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, read aloud, and filed with the Town Board by the Town Clerk.

Supervisor Cudney asked if there was anyone in the audience who would like to speak for or against the petition to rezone the vacant land.

Steve Hollins, of Hoss Inc.: The Petitioner outlined the proposed project.

Tim Gawenus, PE of William Schutt & Associates: Detailed the proposed project.

Opponents:

Ann Falls – 45 Deacon Road

Joan Polanowski – 6226 Webster Road

Mike Polanowski – 6226 Webster Road

Michael Sudzik – 6010 Webster Road

Jim Rajca – 53 Deacon Road

Steve Dahl – 6202 Webster Road

Eileen Polanowski – 6226 Webster Road

Roselyn Polanowski, Attorney representing the family at 6226 Webster Road, and other residents in the area: She presented a petition against the proposed rezoning to the Town Board. Ms. Polanowski then asked if the Town Board would consider acquiring the property for green space. She then requested that if the Town Board is considering approval of this project, that they hold off until a full Environmental Impact Study under SEQA is conducted.

The issues of the opponents are as follows:

- Unlawful spot rezoning
- Affects Property Values
- Drainage issues
- Traffic problems - already have the car dealerships with people test driving/speeding down Webster
- Pedestrians are in danger with the traffic
- Wild Life will be affected
- Water Quality
- Decrease in green space
- Character of neighborhood
- Not truly affordable housing
- Concerned about appropriate buffering in area
- Townhouses are already on Webster Road

Proponents:

Richard Deacon – 6402 Lake Avenue: Mr. Deacon is co-owner of the property. He stated that his Grandfather bought the property and used it as farm land, but his grandfather had originally planned to sell it off as lots. After WW II his grandfather did sell off some lots and that is now Deacon Road.

At this time Supervisor Cudney asked Mr. Hollins if he originally planned to put in single family homes on this parcel, as they are allowed under the current zoning. Mr. Hollins stated he was planning to put in a single family development and does have a site plan for single family homes, but after a concept meeting with the Planning Board, he switched his plans to building townhouses. If the rezoning does not take place, he will continue with his single family homes development.

Joy Spare – 6053 Quaker Hollow Road: Ms. Spare lives in a two story townhouse and would like to move to a single floor townhouse. She stated that Town Houses are so popular, that there is a waiting list to purchase them.

1) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN JEMIOLO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

RESOLVED, that the Public Hearing in the matter of an Amendment to the Zoning Ordinance of the Town of Orchard Park, to rezone 12.4 +/- acre parcel located West of Deacon Road, North of Webster Road from R-2 to R-3 for a proposed 25 unit townhouse development as petitioned by Steve Hollins, is hereby closed at 7:45 PM (local time).

The resolution was unanimously adopted.

Old Business #1 Krog Corp., Requesting a Building Permit for a Warehouse/Office Building

2) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN JEMIOLO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLS, TO WIT:

RESOLVED, that the Town Board does hereby approve the Building Permit for the Krog Corporation, for vacant land in Quaker Centre Industrial Park located on Centre Drive, to construct a 25,000 square foot warehouse/office building. The Planning Board, 5/11/05 recommends approval of this request and of the site plan with the following stipulations:

- This is an Unlisted SEQR Action based on the submitted Long EAF, Parts One and Two and a Negative Declaration is declared.
- The site lighting is limited to those fixtures and poles indicated on the approved site plan. Light fixtures shall have flat lens.
- No outside storage or display is permitted.
- Dumpsters as shown shall be screened, along with any additional dumpsters, in accordance with Section 144-25 of the Town Code.
- A Landscape Completion Bond in accordance with Conservation Board minutes shall be provided for the approved landscape plan, which includes 60% green space. The Bond shall be in the amount of \$14,851.00, or a certified check in the amount of \$7,425.50 and must be presented to the Town Clerk prior to obtaining a Building Permit.
- Town Engineering Approval has been granted on 5/11/05.
- Twenty-one spaces have been provided for future parking if needed.

The resolution was unanimously adopted.

New Business #1 Accept the Resignation of Ronald Geitter from Highway Superintendent, etc.

3) THE FOLLOWING RESOLUTION WAS OFFERED UNANIMOUSLY BY THE TOWN BOARD, WHO MOVED ITS ADOPTION, SECONDED UNANIMOUSLY BY THE TOWN BOARD, TO WIT:

RESOLVED, that the Town Board does hereby accept the resignation of Ronald Geitter, with deep regret, from Highway Superintendent, Parks Superintendent and Composting Superintendent as of Friday, May 20, 2005 at 12:00 PM (local time).

The resolution was unanimously adopted.

At this time Supervisor Cudney and the Town Board stepped forward to recognize Ron Geitter for his twenty-seven years of dedicated service to the Town of Orchard Park. Supervisor Cudney stated that it has been a great deal of fun to work with Ron over the last eight years. She stated that most of the time he operates by asking for forgiveness more than permission. She said that he is a man who knows how to get things done. He always produces results, and they always have a Ron Geitter twist to them. Ron has accomplished so much in the Town and has made Orchard Park a much better place. There is no one quite like him. She stated that there is a cliché that states "everyone is replaceable". That is not true with Ron Geitter, he will be greatly missed by everyone.

The Supervisor presented Ron a bronzed American Eagle with the following inscription "Ronald. A. Geitter, Town of Orchard Park Highway Superintendent - Your pioneering spirit has made Orchard Park, and America, a better place".

Councilman Kaczor stated that Ron Geitter is one great American and a great guy who is not only well respected, but well loved. Everyone knows how much time and work Ron has put into Brush Mountain Park on California Road, which has become the hub of recreation in Orchard Park and will continue to expand. Councilman Kaczor stated the Town Board wanted to do something very special for him at Brush Mountain, so the following resolution was stated.

4) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KACZOR, WHO MOVED ITS ADOPTION, UNANIMOUSLY SECONDED BY THE TOWN BOARD, TO WIT:

RESOLVED, that the Town Board does hereby name the egress and ingress (the entrance) to Brush Mountain Park "**Ron Geitter Parkway**". May it be a lasting monument to an individual who has over twenty eight years earned the respect and love of the entire Orchard Park community.

The road sign stating "Ron Geitter Parkway", which will be the sign put up at Brush Mountain, was present to Ron Geitter.

The resolution was unanimously adopted.

Following the presentations, Ron Geitter stated "I'm not a public speaker, I'm a doer. Just like Toni Cudney said, the best way to get a job done is with forgiveness, and not permission. That is how Brush Mountain has been developed". He stated he certainly appreciated the opportunity to have served as Highway Superintendent for the Town of Orchard Park, and he thanked the residents of Orchard Park for giving him the opportunity to do so for he really loves his job and the residents of Orchard Park. Ron stated "three and one-half years ago, I told my wife Norma that I was only going to stay for two years. Now, my super wife, good friend and camping buddy, and I, are going to set out on our camping adventures. Thank you for everything, this has been a true honor."

This was followed by a standing ovation honoring Ronald Geitter for his dedicated years of service.

The Town Board members and Department Heads all took their turns thanking Ron. They talked about the exceptional person that Ron Geitter is, and his total dedication to this Town, be it through his professional work, or through his private endeavors. They stated Ron is always available to help, and does it professionally, quietly and behind the scenes. He was instrumental in writing the Erie County Solid Waste Management Policies, developing the Compost Site & Recreation Facilities, and Brush Mountain to name just a few of his contributions. He is one of the backbones of the community and everyone who has met, or knows Ron, has been enriched by that experience. Even though Ron is going to retire, he will still be contributing his time to the Town at the Compost site and through various committees. Everyone wished Ron and Norma the best in their retirement.

5) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:

WHEREAS, Ronald A. Geitter has retired as Highway Superintendent, and

WHEREAS, in his capacity as Highway Superintendent, Ronald A. Geitter supervised the compost site located at Milestrip Road, in the Town of Orchard Park

NOW, THEREFORE be it

RESOLVED, that effective May 23, 2005 at 9:00am Ronald A. Geitter is hereby appointed Facility Development supervisor of the Orchard Park Compost Site, and be it further

RESOLVED, that Ronald A. Geitter shall be paid at the rate of \$5,000.00 annually as Facility Development Supervisor of the Compost Site, plus life insurance, in the same sum which was available to him as Highway Superintendent, and be it further

RESOLVED, that Ronald A. Geitter shall remain on the Tree Conservancy Council, and be it further

RESOLVED, that Ronald A. Geitter shall remain on the committee studying the development of Brush Mountain Park.

The resolution was unanimously adopted.

New Business #2 Appoint Frederick J. Piasecki, Jr. to the Position of Highway Superintendent

6) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLS, TO WIT:

WHEREAS, Ronald A. Geitter, Town of Orchard Park, Superintendent of Highways, has resigned effective May 20, 2005 at midnight, and

WHEREAS, a Highway Superintendent must be appointed to replace Ronald A. Geitter, to oversee 30 employees and 50 pieces of equipment

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Frederick J. Piasecki, Jr., 4839 Bussendorfer Road, Orchard Park, to the positions of Highway Superintendent and Parks Superintendent effective May 21, 2005 at 12:01 AM (local time).

Councilwoman Ackerman introduced Fred Piasecki and his wife Kathy. Councilwoman Ackerman stated Mr. Piasecki will be appointed this evening as the Highway Superintendent and will finish out Ron's term this year. At this time she outlined Mr. Piasecki's qualifications.

Supervisor Cudney stated she disagreed with the appointment this evening and thinks the public is best served when there is competition. Political appointments and patronage jobs leave a bad taste in the mouths of the public. She stated that she was not included in this search for a replacement for Mr. Geitter. By making this appointment, the incumbency that Mr. Piasecki now gets, takes the competition out of the race. She stated that she will not vote in favor of this appointment.

Councilman Jemiolo stated that the Highway Department is one of the most important departments in the Town and with Ron Geitter's retirement the Town Board felt that a leader was needed right away. He stated they conducted an exhaustive search and Mr. Piasecki was the most qualified candidate for the job. Mr. Piasecki was also Ron Geitter's choice for that job. Councilman Jemiolo stated that he feels that they are acting in the best interest of the Town by appointing Fred Piasecki to the position of Highway Superintendent.

Supervisor Cudney	Nay
Councilwoman Ackerman	Aye
Councilman Jemiolo	Aye
Councilman Kaczor	Aye
Councilman Mills	Aye

The resolution was duly adopted.

New Business #3 Resolution to Retain the Orchard Park Police Department

7) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN JEMIOLO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

BE IT KNOWN, that the officers and patrolmen of the Orchard Park Police Department have for many decades served with dedication the residents of Orchard Park, as well as providing cooperative services to other police departments throughout Erie County and New York State on-demand basis, and

BE IT KNOWN, that the Town of Orchard Park, with a great deal of pride, is pleased to support the continuance of the Orchard Park Police Department as an independent police department that, at a time of need, shall assist other law enforcement agencies, and

BE IT KNOWN, that the Town of Orchard Park is aware of other proclamations being made by other towns throughout Erie County that are in support of having individual communities, through their own initiative and by their own choice, support their own individual police departments, and

WHEREAS, Erie County Executive Joel A. Giambra has called for a regional police department that would eliminate local police departments at a time when the county has serious financial issues and has reduced public safety programs that have assisted and supported town and village law enforcement agencies for many years, and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of Orchard Park rejects the proposal of the Erie County Executive for a regional police department, and reaffirm our commitment to our local police force and public safety programs in our community, and be it further

RESOLVED, this board also calls upon the Erie County Executive and Erie County Legislature to restore the programs and personnel of Central Police Services and the Erie County Police Academy.

Councilman Jemiolo stated that Supervisor Cudney received communications from other Towns, voicing their objections, following County Executive Giambra's decision that it might be a good idea to regionalize the police forces in Erie County. The Town of Orchard Park is proud of its Police Department and its officers and stands behind them.

The resolution was unanimously adopted.

New Business #4 Schedule a Public Hearing for July 1st for URS Engineering from OP to Buffalo

8) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLS, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the Town Board does hereby schedule a Public Hearing for Wednesday, June 1, 2005 at 7:00 PM (local time) for the relocation of URS Engineering from the Town of Orchard Park to an Empire Zone in the City of Buffalo, and be it further

RESOLVED, that the Town Clerk shall publish due notice in the official newspaper of the Town.

The resolution was unanimously adopted.

New Business #5 Authorize the Supervisor to Sign SPDES General Permit

9) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

WHEREAS, the Federal EPA Environmental Conservation Law, the Clean Water Act and Stormwater Phase II regulations, the Town must submit to the New York State Department of Environmental Conservation a Stormwater Management Program annual report outlining the Town's progress in meeting the Notice of Intent (NOI) goals, and

WHEREAS, the Annual Report must be submitted to the NYSDEC each year by June 1st with the Municipal Compliance Certification Form that must be signed by the Supervisor (this report is available for public review and comment at the Town Clerk's office)

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the New York State Department of Environmental Conservation SPDES (#NYR20A137) General Permit for Stormwater Discharge from Small Municipal Separate Storm Sewers (MS4s), Permit #GP-02-02, municipal Compliance Certification included with the Stormwater Management Program annual report, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #6 Appoint Summer Staff to the Sewer & Water Department

10) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR CUDNEY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

WHEREAS, Jason Franklin, who has worked for the Sewer & Water Department as a seasonal employee last summer, and has applied for this job again this year. Jason is an excellent worker.

RESOLVED, that the Town Board does hereby appoint Mr. Jason Franklin, 5170 South Freeman Road, in the Town of Orchard Park, to a seasonal position in the Sewer & Water Department for a fourteen-week period beginning May 19, 2005 at a wage rate of \$7.50/hour.

The resolution was unanimously adopted.

New Business #7 Approve Change Order #3 to the Contract for Baker Road Reconstruction Project

11) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN JEMIOLO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLS, TO WIT:

WHEREAS, the Engineering Department has requested approval of Change Order #13 to the contract with Sicar Inc. for the Baker Road Reconstruction Project in the amount of \$192,759.55, which would increase the total contract amount to \$3,129,538.05, representing an increase of 6.56%, and

WHEREAS, the change order requested is to perform additional work associated with the relocation of the existing waterline and associated appurtenances along Baker Road from approximately Station 10+40 to Station 27+50 and at Drainage Structures Nos. 2, 4, 30, 32, 43, 49, 51, 53 and 101 that is in conflict with the installation of the road's storm drainage improvements as record information on the alignment of the existing waterline from 40-years ago was not reflective of actual in-field conditions,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Change Order #3 to the original contract with Sicar, Inc. for the Baker Road Reconstruction Project in the amount of an increase of \$192,759.55, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Approve Public Improvement Permit #2005-04

12) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

WHEREAS, the Engineering Department has received from Newton-Abbott Fire Company, 3426 Abbott Road, Blasdell NY, an application for a Public Improvement Permit for the relocation of a portion of the Town's sanitary sewer, and

WHEREAS, the project consist of the relocation of approximately 210 L.F. of sanitary sewer to facilitate the construction of a new fire hall, and

WHEREAS, the Town Engineer has reviewed the plans and specifications for the proposed project and found them to be in compliance with current Town specifications, and Town is in receipt of all necessary fees, bonds and insurance.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Public Improvement Permit #2005-04 for the Newton Abbot Fire Hall Sanitary Sewer Relocation, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Accept the Resignations & Appointments on the Trails Task Force

13) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLS, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the Town Board does hereby accept, with regret, the resignation of Robert Rucker and Carolyn Coppola from the Trails Task Force.

The resolution was unanimously adopted.

14) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR CUDNEY, TO WIT:

RESOLVED, that the Town Board does hereby appoint two new members to the Trails Task Force: Bruce Roche from 4 Kings Court and Dwight Mateer from 36 Hobby Lane in the Town of Orchard Park.

The resolution was unanimously adopted.

New Business #10 Appointments to the 2005 Spring/Summer Recreation Department

15) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the Town Board does hereby approve the following appointments to the Recreation Department Spring/Summer 2005 Seasonal Staff, pending submission of the required certifications, as recommended by the Recreation Director:

Name	Address	Position
Justine Abel	130 Bridle Path	Attendant
Lindsey Alico	6707 Scherff Road	Attendant
Joe Armenia	31 Green Lake Drive	Lifeguard
Marissa Babcock	6225 Newton Road	Attendant
Phillip Barlett	22 Knob Hill Road	Attendant
Stephanie Battaglia	112 Burbank Drive	Lifeguard
Liane Benard	5033 Ellicott Road	Attendant
Andrew Burnside	4586 W. Lake Rd., Dunkirk	Intern/Attendant
Jennifer Buskus	PO Box 688, Orchard Park	Attendant
Kathryn Cross	4 Mt. Airy Drive	Attendant
Nate Cross	106 Old Orchard Lane	Attendant
Bradley Deck	4 Lancaster Lane	Attendant

Elizabeth Dillon	145 Independence Drive	Attendant
Spencer Dina	9 Swallow Lane	Lifeguard
Karen Dolce	58 Tanglewood Drive	Attendant
Chris Fitzgerald	6231 Bunting Road	Attendant
Marilyn Found	7546 Chestnut Ridge Road	Lifeguard
Cameron Gallson	50-1 Carriage Drive	Lifeguard
Amanda Gehring	51 Lakewood Drive	Attendant
Bridget Graham	49 Fox Chapel	Attendant
Kaitlin Graham	49 Fox Chapel	Attendant
Sheila Hagerty	46 Braunview Way	Attendant
Ryan Hayes	1955 Mill Road	Lifeguard
Emily Hedges	5490 Chestnut Ridge Road	Lifeguard
Matthew Horn	4825 California Road	Attendant
Kelly Hugar	74 Henning Drive	Attendant
Patrick Hurley	59 South Lincoln Avenue	Attendant
Kelly Igoe	6114 Berkley Drive	Attendant
Elizabeth Imbriowicz	114 Southridge Drive	Attendant
Julie Kinsella	4511 Clark Street, Hamburg	Attendant
Flo Kirkner	16 Bender Drive	Supervisor
Renee Lachiusa	70 Midway Drive	Lifeguard
Jacqueline Lex	151 Idlewood Drive	Attendant
Jeff Lindstrom	6235 Scherff Road	Attendant
Mike Lindstrom	6235 Scherff Road	Attendant
Lindsey Martz	32 Cherry Tree Lane	Attendant
Ryan Martz	32 Cherry Tree Lane	Attendant
Amy May	21 Deer Run Drive	Attendant
Caitlin McGowan	21 Wildwood Lane	Lifeguard
Kari Mielcarek	4140 Stockton Lane, Hamburg	Attendant
Andrew Pace	191 Stonehenge Drive	Attendant
Laura Palmo	5 Lakewood Drive	Attendant
Jason Petrie	7216 Milestrip Road	Lifeguard
Cheri Posenjak	7840 Milestrip Road	Attendant
Lindsay Pohlman	18 Stonehenge Drive	Attendant
Edward Ramage	15 Daisy Lane	Park-Attendant
Andrew Ramage	15 Daisy Lane	Attendant
Lauren Randle	12 Thomaston Lane	Lifeguard
Raymond Rayeski	8112 Cole Road	Attendant
Leah Sauer	34 Graystone	Attendant
Mike Schamann	6174 Armor Road	Supervisor
Andrew Schulz	164 Stonehenge Drive	Supervisor
Neal Suchak	10 Nieman Drive	Lifeguard
Eva Szinger	30 Carey Drive	Supervisor
Lynn Tennant	53 Elmtree Road	Lifeguard
Mario Vinti	5600 Powers Road	Lifeguard
Tom Wellington	6711 Jewett Holmwood Road	Park-Attendant
Stacey Werner	7043 East Quaker Street	Attendant
Sarah Yates	240 Independence Drive	Attendant
Tony Yi	22 Falconcrest Lane	Lifeguard
Darcy Zappia	32 Quaker Lake Terrace	Attendant

The resolution was unanimously adopted.

New Business #11 Refer to the Planning Board and/or Conservation Board

16) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the Town Board does hereby refer to the Planning Board the following request: Parklands Professional Park, 3085 Southwestern Boulevard. Request for a 18,000 square foot addition.

The resolution was unanimously adopted.

New Business #12 Refer to the Public Safety Committee

17) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR CUDNEY, TO WIT:

RESOLVED, that the Town Board does hereby refer to the Public Safety Committee the following request: Jeremy Lee, 7961 Reserve Road. Requesting speed limit signs on Reserve Road between Southwestern Boulevard and Transit Road.

The resolution was unanimously adopted.

ELECTED OFFICIALS AND DEPARTMENT HEADS**Budget Amendment**

18) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR CUDNEY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLS, TO WIT:

WHEREAS, the Town has received a records management grant to assist in appropriate recordkeeping and archiving, and,

WHEREAS, the Town's 2005 adopted budget does not contain appropriations relating to such grant, and

WHEREAS, the funding for these adjusted appropriations will be supported by state aid from such approved grant, of which a portion was received in 2004

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the amending of the Town's 2005 budget to increase estimated revenues and authorize additional appropriations as follows:

Increase appropriation account:

A.1410.0462 - Records management - Town Clerk	\$12,263.00
A.3120.0462 - Records management - Police	\$ 6,967.00

Increase estimated revenues:

A.0000.3060 - State Aid - Records management	\$19,230.00
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The resolution was unanimously adopted.

Call to WNY Delegation to Support the Roycroft Campus Corporation

19) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR CUDNEY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLS, TO WIT:

WHEREAS, the Town of Orchard Park is pleased to take this opportunity to congratulate newly activated Roycroft Campus Corporation (RCC) for their efforts to launch a financially sustainable, not-for-profit entity to ultimately fund the acquisition and restoration of the nationally acclaimed Roycroft Campus in East Aurora, New York, and

WHEREAS, the historic Roycroft Campus was designated as a National Historic Landmark in 1986 and was placed by the National Trust for Historic Preservation on its "11 Most Endangered Places" list of historic properties in 1989, and

WHEREAS, the RCC board is a group of committed community volunteers that has pledged to organize a \$2 million fundraising effort to fully restore the Copper Shop as a microcosm of our community's collective vision for the projected \$50 million Campus restoration project, and

WHEREAS, the RCC intends to preserve and promote the ideals, traditions, architectural legacy and business skills of Elbert Hubbard and the Roycrofters through the acquisition and restoration of the remaining Roycroft Campus buildings and grounds, and

WHEREAS, this important regional economic development project could ultimately create as many as 300 jobs, foster innovative educational programs, encourage and support artisans, as well as expand a compelling tourism effort which could bring more than 100,000 tourists to East Aurora each year, and

NOW, THEREFORE, be it

RESOLVED, that the Town of Orchard Park hereby joins the Roycroft Campus Corporation in its efforts to secure federal funds for the restoration of the historic Copper Shop, and be it further

RESOLVED, that the Town of Orchard Park hereby calls upon the Western New York Congressional Delegation to support the Roycroft Campus Corporation's request to identify and secure FY06 federal funds in the amount of \$1 million through a Department of Interior Save America's Treasures Appropriation in order to restore the Roycroft Campus' Cooper Shop, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to members of the Western New York Congressional Delegation, the Town of Aurora and the Roycroft Campus Corporation.

The resolution was unanimously adopted.

20) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR CUDNEY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLS, TO WIT:

WHEREAS, the Town of Orchard Park is pleased to take this opportunity to congratulate newly activated Roycroft Campus Corporation (RCC) for their efforts to launch a financially sustainable, not-for-profit entity to ultimately fund the acquisition and restoration of the nationally acclaimed Roycroft Campus in East Aurora, New York, and

WHEREAS, the historic Roycroft Campus was designated as a National Historic Landmark in 1986 and was placed by the National Trust for Historic Preservation on its "11 Most Endangered Places" list of historic properties in 1989, and

WHEREAS, the RCC board is a group of committed community volunteers that has pledged to organize a \$2 million fundraising effort to fully restore the Copper Shop as a microcosm of our community's collective vision for the projected \$50 million Campus restoration project, and

WHEREAS, the RCC intends to preserve and promote the ideals, traditions, architectural legacy and business skills of Elbert Hubbard and the Roycrofters through the acquisition and restoration of the remaining Roycroft Campus buildings and grounds, and

WHEREAS, this important regional economic development project could ultimately create as many as 300 jobs, foster innovative educational programs, encourage and support artisans, as well as expand a compelling tourism effort which could bring more than 100,000 tourists to East Aurora each year, and

NOW, THEREFORE, be it

RESOLVED, that the Town of Orchard Park hereby joins the Roycroft Campus Corporation in its efforts to secure federal funds for the restoration of the historic Copper Shop, and be it further

RESOLVED, that the Town of Orchard Park hereby calls upon the members of the Western New York State Delegation to support the Roycroft Campus Corporation's request to identify and secure \$500,000 in State funds in order to restore the Roycroft Campus' Copper Shop, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to members of the Western New York Assembly and Senate State Delegation, the Town of Aurora and the Roycroft Campus Corporation.

The resolution was unanimously adopted.

Supervisor Cudney said she received a communication from NYS Urban and Community Forestry Council regarding a nasty beetle called the Asian Longhorned Beetle. She stated this beetle is destroying maple and other hardwood trees. It was first discovered in the New York City and Long Island area. The only way to stop this beetle is to find the infected trees and remove them. This communication identifies this beetle and gives phone numbers to call if you find an infected tree. This information will be available in the Town Clerk's Office.

Councilwoman Ackerman said that in response to the Supervisor's previous comments regarding the appointment of Fred Piasecki, she felt compelled to say that she was unhappy that the Supervisor chose to mar the joy and celebratory atmosphere of Ron Geitter's resignation and the appointment of Fred Piasecki. At this time Councilwoman Ackerman outlined the process the Republican caucus came by their decision to appoint a new Highway Superintendent.

21) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN JEMIOLO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:

RESOLVED, that the Town Board does hereby approve a Fireworks Permit for May 29, 2005 at 6000 Cole Road, Orchard Park as petitioned by Tom Buranich of Sky Lighters of WNY.

The resolution was unanimously adopted.

Councilman Mills stated the Town Board had promised the Bussendorfer Road residents that the Town would have some kind of action plan in place regarding the drainage issues in that area around the first week in June. Town Engineer, Wayne Bieler said that the Engineering Department met with the residents two weeks ago and they had some additional questions from their last review, and they are going to be back again in a few weeks. At this time the Engineering Department does not have the drainage report from DiDonato Associates back yet, but they expect to have it soon.

Ron Geitter congratulated Fred Piasecki on his appointment and said he knows Fred will do a good job. Ron said there will be a big learning process in that position and he appreciates the Supervisor's commitment to help Fred work through this process. There are a lot of rules, regulations and government issues that have to be dealt with. Ron stated that he is going to be Fred's shadow for a couple of weeks.

Ron also stated that he has been surrounded by some great people who have helped make him look good. The Highway Department is #1 in the county, the Compost site is run by two of the most qualified guys in the business, and Lynn Reynolds, the Town Arborist, has overseen the landscaping of our new soccer complex and has set up an Arboretum.

Ron went on to say that this Town Board has been a pure delight to work with. He has worked with a lot of good Town Boards, but this one has been the easiest that he has been able to work with. They let him run the Highway Department and did not try to take it over. He also said that the Town could not have better servants than they have now, they are heads and shoulders above any other Town. The bickering and other things that happen in other Towns that is uncalled for, just doesn't happen here. In general, everybody works here for the best interest of the Town and "pulls the wagon as hard as they can pull it." He also thanked the residents of the Town for keeping him in office and "giving me the opportunity to do something I really love to do. Thank you."

DEPARTMENT HEADS FROM THE FLOOR

Ed Leak – Recreation Department: Thanked the Town Board for hiring his Recreation Staff this evening and for their cooperation to further the recreation programs. He also thanked Ron for all the help he has received from him and his department for the Recreation Department's projects.

22) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR CUDNEY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #10 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$168,710.07
Part Town Fund	\$620.32
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	\$26,092.42
Special Districts	\$184,128.97
Trust & Agency	\$6,837.00
Capital Fund	\$363,712.69

The resolution was unanimously adopted.

Receive & File Reports:

23) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR CUDNEY, TO WIT:

RESOLVED, that the Town board does hereby receive and file the following Reports: Building Inspector's Monthly Report & Building Permits for April 2005, and the 2004 Annual Report for the Recreation Department.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Larry Bieler – Ellicott Road: He talked about all the hard work Ron Geitter has done for the Agricultural Society over the years.

Bob Bieler – South Shore Drive: He thanked Ron & Norma Geitter for their friendship over the years.

Frank Newton – Bunting Road: He stated that Ron Geitter was a great guy and a very important man at the Fair Grounds.

Dick Maul – Baker Road: He also stated that Ron Geitter was a great guy.

There being no business from the floor, on motion by Supervisor Cudney, seconded unanimously by the Town Board, to wit; the meeting was adjourned in honor of Ron Geitter at 9:10 PM (local time).

Respectfully Submitted,



Janis A. Colarusso
Town Clerk

